

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

UNITED STATES OF AMERICA,)
))
 Plaintiff,))
))
v.)) No. 3:03-CR-29
)) (VARLAN/SHIRLEY)
MAURICE EDWARD HUGHLEY,))
))
 Defendant.)

MEMORANDUM AND ORDER

All pretrial motions in this case have been referred to the undersigned pursuant to 28 U.S.C. § 636(b) for disposition or report and recommendation regarding disposition by the District Court as may be appropriate. This case is before the Court on the following *pro se* motions by the defendant:

- (1) Motion to Compel Psychiatric Examination of Compelling Witness [Doc. 203], filed on February 22, 2005;
 - (2) Motion for Inspection of Grand Jury List Pursuant to Title 28 U.S.C.A. § 1861 and/or Dismissal Pursuant to Title 28 U.S.C.A. § 1867(a) [Doc. 215], filed on February 22, 2005;
 - (3) Motion for Court Order for Return of Illegal Seized Property [Doc. 230], filed on March 2, 2005; and
 - (4) Motion for Court Order to Order U.S. Attorney Ed J. Schmutzter to Comply with Freedom of Information Act of 1973, Privacy Act of Title 5 U.S.C.A. Section 552, 552(a), Docket # 134 [Doc. 245], filed on April 12, 2005.

The Court observes that all of these motions are filed well beyond the defendant's July 15, 2004 motion-filing deadline in this case. The defendant has given no explanation, much less offered

good cause, for the late-filing of these motions. Nevertheless, aspects of the motions suggest that the Court could properly consider them. For example, documents 203, 215, and 245 arguably relate to ongoing discovery and the defendant states in document 230 that he wants to use the money that he seeks to have the government return to prepare his defense in this case. Accordingly, the Court **ORDERS** the government to file responses to these motions, addressing both the timeliness issue and, to the extent possible, the substantive issues therein. The government's responses to these motions are due on or before **June 1, 2005**. Moreover, although the Court anticipates no additional motions from the defendant, the government is **ORDERED** to respond to any subsequent motions filed by the defendant within five (5) business days of their filing.

IT IS SO ORDERED.

ENTER:

s/ C. Clifford Shirley, Jr.
United States Magistrate Judge